



**Homeland
Security**

December 5, 2003

Julie A. Veach
Assistant Chief
Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 Twelfth Street S.W.
Washington, D.C. 20554

Re: In the Matter of 360Networks (USA) Inc. and Touch America, Inc. (Docket No. 03-227)

Dear Ms. Veach:

As you know, on November 18, 2003, the U.S. Department of Homeland Security filed a Petition to Defer in the above-referenced matter in order to fully analyze whether the application raised national security and/or public safety issues. After reviewing the proposed transaction and based upon our assessment of existing technology, the U.S. Department of Homeland Security does not oppose the proposed transaction and therefore respectfully withdraws its prior petition for the Federal Communications Commission ("Commission") to defer action on this matter.

Sincerely,

Jason Klitenic
Deputy General Counsel